

10/20

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - OCTOBER 22, 2003

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES

Carmody WILLIAM & MARGARET ENLOW-ch7 7-01-02022 Callahan/SO
A/P 7-03-00145: Det validity, priority of extend of lien or other interest
Wm E. Callahan Jr., Trustee (Callahan) v. IRS ()

Snodgrass KEITH & MICHELLE HULL-ch7 7-03-03069 Shortridge/JM
A/P 7-03-00140: det. Dischargeability
Prime Acceptance Corp (Huebschman) v. debtors

10:00 A. M. - MISCELLANEOUS

Copeland MARSHALL, JR., & ALLISON LINEBERRY 7-03-00313
A/P 7-03-00057: Debtor Motion to Extend Time to Complete Discovery filed 10/14
Blue Ridge Bank (J. Gregory) v. Debtors

Harman TAMMY BRINKLEY-ch7 7-03-00900 Callahan/JM
A/P 7-03-00075: *Pltf Motion to amend complaint and continue established deadlines
fixed in pre-trial order (proposed amended complaint attached as Exhibit A)*
William E. Callahan, Trustee (Callahan) v. DaimlerChrysler, LLC (Higgs)
*Order 10/16 granting Trustee's Motion to Amend Complaint; Trustee has 20 days to
file/serve Amended Complaint; defendant has 20 days from service of Amended*

Complaint to file response–discovery deadlines to be determined at new p/t conf.

Abingdon Calendar - 10/22/03

10:00 A. M. - MISCELLANEOUS

Copeland	G and A COAL COMPANY	7-99-02321	Callahan/LM
	A/P 7-03-00013: <i>Pltf Motion to amend complaint to add party defendant (Sharon Ball, executrix of estate of Edward Eugene Ball) (filed w/proposed amended complaint)</i>		
	Wm E. Callahan, Trustee (Goldstein) v. Estate of Edward Eugene Ball (Beck)		
Jackson	MICHAEL & DESSIE HEALY-ch7	7-03-00231	Wick/ GR
	Obj of Trustee to Claim #2: Branch Banking & Trust <i>-recusal ord 9/10 to Judge Krumm</i>		
	Obj of Trustee to Claim #7: Vanderbilt Mortgage & Finance, filed 9/9; d/e #30		
Snodgrass	GORDON & KATHRYN STOPHEL-ch7	7-03-02053	Callahan/VS
	Debtor Motion to Redeem Property : Friedman's Jewelers, filed 9/15; d/e # 23		
	<i>–filed in closed case;</i>		
	<i>Ord of 9/30 Reopened case & directed payment of \$155.00 filing fee</i>		
	<i>–Order entered 10/14 dismissing Motions to Reopen Case & Redeem Property</i>		
Hendricks	JEFFREY & RITA ELKINS	7-03-02080	Callahan/AF
	Motion #1: Relief - filed 7/11; d/e # 11, 12 - <i>contd from 8/6, 9/3 & 9/17</i>		
	First Community Bank NA (Kieffer) v. Jeffrey Elkins (only) & trustee		
	<u>RESPONSE filed</u> by Trustee 7/22 [d/e # 13]		
C. Jessee	GENERAL CREATIONS, INC. - Ch. 7 (Invol.)	7-03-01782	Callahan/SJ
	Trustee's Motion to designate debtor and directing filing of lists, statements, schedules & matrix & appearance at 341 mtg. of creditors [d/e # 15] <i>contd fr 9/17</i>		
	<u>Response of debtor 9/15; d/e # 17</u>		

Sturgill	VIRGIE CASTLE-ch7	7-03-01702	Shortridge/SJ
	Motion of Trustee to Approve Sale of interest in certain real property to debtor in amount of \$7000.00 as stipulated - filed 7/21 d/e # 16 <i>Contd fr 8/20 & 9/17</i> d/e # 25		
Abingdon Calendar - 10/22/03			
<u>10:00 A. M. - MISCELLANEOUS</u>			
Jessee	LEROY M HULL CO-ch7	7-01-03786	Wick/JJ
	Motion of Long Agribusiness, LLC to Reconsider 9/10/03 Order disallowing Claim #12 (Adrian White) –Order entered 10/7 allowing Claim # 12 of Long Agribusiness, LLC as amended as an unsecured claim in the amount of \$31,524.87–hearing cancelled [d/e # 290]		
Carroll	LARRY & RITA FIELDS-ch7	7-03-02314	Shortridge/GR
	Motion to Reopen Case and Waive Reopening fee to file Agreed Order of Redemption (\$155 fee paid) filed 9/22; d/e # 18 –ORD of 9/25, d/e # 19, reopened case & Ord of 9/25 (agreed) granted redemption		
LeBlanc	CARSON & SHARON ALLS-ch7	7-03-03570	Shortridge/NS
	Motion #1: Relief - filed 9/25; d/e # 12, 13 DaimlerChrysler Services (Higgs) v. debtor & trustee –Default Order entered 10/14/03 [d/e # 20]		
Snodgrass	JOSEPH & KIMBERLY JACKSON-ch7	7-03-03068	Wick/AF
	Motion #1: Relief (as to male debtor only) filed 9/25; d/e # 14, 16 Daimler Chrysler Services NA LLC (Higgs) v Joseph Lee Jackson & Trustee –Agreed Order granting relief entered 10/14–hrg. cancelled [d/e # 17]		
Jackson	BASIL, JR., & FREDDIE FOWLER - Ch. 7	7-03-03309	Wick/JM
	Motion # 1: Relief–filed 9/25 [d/e # 13] Daimler Chrysler Services, N.A., LLC (Higgs) v. Debtors & Trustee –Default Order entered 10/16 granting relief from stay [d/e # 16]		

Harman JASON & ANGELA MATTHEWS - Ch. 7 7-03-02858 Callahan/AF
Motion # 1: Relief–filed 9/25 [d/e # 13]
Huntington Nat'l Bank (Laura Hale) v. Debtors & Trustee

–Movant atty tendering ord on 10/20 to withdraw motion

Abingdon Calendar - 10/22/03

10:00 A. M. - MISCELLANEOUS

Carmody ALFRED & JANICE OWENS 7-03-03450 Shortridge/SL
Motion #1: relief - filed 9/30; d/e # 18, 19
Ford motor Credit Co (Eason) v. debtors & trustee
movant certification filed 10/8; d/e # 20

Snodgrass DONNA NEWMAN-ch7 7-03-03884 Callahan/AF
Motion #1: relief - (Re: deficiency: 9/30: amended motion filed 10/3; d/e # 13)
ABN AMRO Mortgage Group (Christine Patterson) v. debtor & trustee
Note: Frederick Harman local counsel per letter of 10/1

Arey JAMES & JOYCE HALL–CH7 7-03-03302 Wick/SJ
Motion #1: relief - filed 9/26; d/e # 14, 15; movant's cert. filed 10/15 [d/e # 18]
Bank One/Valley national Financial Services (Neyhart) v. debtors & trustee

Jackson DAVID & LESLIE LUNDY-ch7 7-03-03311 Wick/GR
Motion #1: relief - filed 9/29; d/e # 14, 15; *movant's certification filed 10/6 d/e # 16*
Citizens Auto Finance Inc (C.Fogleman) v. Debtors & trustee
–Order granting relief from stay entered 10/14 [d/e # 17]

Carmody MYRTLE DUFF-ch7 7-02-01023 Wick/VS
Motion for compensation of trustee in amt of \$1,867.22 & \$150.04 expense filed 9/29;
d/e # 57

Welch PAUL & LYNN NESTER-ch7 7-00-00238 Callahan/AF
 Motion #2: Relief - filed 10/1: d/e # 87, 89; *contd from 10/22*
 First Citizens Bank (Zimm) v. debtors & trustee

Abingdon Calendar - 10/22/03

10:00 A. M. - MISCELLANEOUS

Snodgrass SHIRLEY DRIVER 7-02-03876 Callahan/JJ
 Motion of Trustee to sell property free and clear of liens at Auction and Notice
 of Proposed Sale of Estate not in the ordinary course of business
 And Trustee's Proposed Compensation of Professional (*d/e # 41*)
 Mot to employ professional Larry Akers, d/e # 40 ; Approved by O/E 10/16, d/e # 42

Harman ULYSSES & MARY ALTIZER 7-03-00975 Callahan/SL
 Motion #1: Sell property free & clear of liens, filed 10/2; d/e # 22
 Trustee v. Tazewell County Va () and Debtors ,

Hendricks EARL & AMY MUSICK 7-02-04932 Callahan/SJ
 Motion of Trustee to sell property free & clear of liens, claims, rights & Interests at
 Auction and Notice of Proposed Sale of Property of Estate Not in Ordinary Course
 of Business
 and
 Trustee's Proposed Compensation of Professional
 filed 10/2; d/e # 28;

11:00 A. M. - MISCELLANEOUS

Lawson/
Leonard LAMBERT OIL - ch7 7-03-01183 Callahan/VS
 Motion #1: Relief–filed 4/23 [d/e # 25; 100]; notice d/e #102, filed 10/6
 Bay View Franchise Mortgage (Humphreys/Dessauer) v. Debtor
 –*contd from 10/22 in event settlement negotiations stall*

Slavin MILDRED CASSELL - Ch. 7 7-03-02029 Callahan/SJ
Motion to Dismiss for Substantial Abuse filed by U. S. Trustee (Cosby) [d/e # 21]
–*Motion to convert to Chapter 13 filed 10/17; converted 10/17.*

Abingdon Calendar - 10/22/03

11:00 A. M. - MISCELLANEOUS

Copeland GEORGE S. PATTON-chll 7-02-01131 DIP/GR
Confirmation of Amended Plan (1st) filed 8/25; d/e # 140, 141 *contd from 10/8*
(*Ord of 9/9 dismissed IRS obj to confirmation, d/e # 144;*)

1:00 P. M. - CONFIRMATIONS

Via RALPH DENTON-chl3 7-03-01455 Widener/SL
Plan filed 4/7; d/e # 6,)*contd from 8/20*
Trustee Report Obj & Showcause: Dismiss/convert; filed 9/23, d/e # 40
Obj: IRS (Eckert) *Obj of IRS dismissed by ord of 9/30*
Commonwealth of Va., Dept. Of Taxation (Miner) [d/e # 31]*withdrawn & o/e*

Snodgrass BARBARA TRIVETT 7-03-02923 Widener/VS
Plan filed 7/7; d/e # 6, contd from 10/8; d/e # 17, 18
Trustee Report, Objection & Showcause: Dismiss/convert, filed 9/18; d/e # 16

Snodgrass JERRY & REBECCA WALTERS 7-03-02952 Widener/SJ
Mod Plan filed 9/9; d/e # 16, 17
Trustee Obj & Showcause contd from 10/8 to hear w/mod plan , d/e # 13

Hutchinson	JEFFREY & MELISSA SPROLES-chl3	7-03-03001	Widener/GR
	Mod Plan #1 filed 9/9, d/e # 22, 23		
	Trustee Obj & Showcause contd from 10/8 to hear w/mod plan , d/e # 15		
	Valuation: 1990 Camaro: Citizens Savings & Loan, filed 9/18;d e # 25		

Abingdon Calendar - 10/22/03

1:00 P. M. - CONFIRMATIONS

Snodgrass	PAULA MEDDERS-chl3	7-03-03026	Widener/JJ
	Mod Plan #2; filed 9/9; d/e # 23, 24		
	<i>–ORDER of 9/30 dismissed case without prejudice</i>		

Snodgrass	JERRY & CAROLYN CHRISLEY-chl3	7-02-04366	Widener/JJ
	Mod Plan filed 9/4; d/e # 41, 42		

Snodgrass	WILBERT & PALFALENE CHANDLER-chl3	7-03-00166	Widener/JJ
	Mod Plan filed 9/4; d/e # 33, 34		

Snodgrass	MARK & BARBARA WILLIAMS	7-03-00855	Widener/SL
	Mod Plan filed 6/24, d/e # 41, 42 <i>contd fr 8/20</i>		
	Trustee's Show Cause: Dismissal/Conversion filed 6/5; d/e # 36 <i>contd fr 7/2, 8/20,10/22</i>		
	Obj to plan: Former Chapter 7 Trustee(Callahan)		
	& Mot to Reconvert to Ch7 filed 6/5, d/e # 38 , 39		
	Objection: Commonwealth of Va., Dept. Of Taxation (Miner) [d/e # 50]		

Lamie	DAVID & WANDA JACKSON-chl3	7-02-05148	Widener/AF
	Mod Plan filed 9/9; d/e # 55, 56		
	@9/17 hrg; <i>ord to be tendered to dismiss case in 10 days IF Mot of Debtor to convert to ch 7 is not filed in interim</i>		

**–Order entered 10/3 DISMISSED CASE w/o prejudice for failure to comply with
9/22 Court Order [d/e # 64]**

McDaniel DONNIE & SALLY HALL-ch13 7-03-02367 Widener/NS
Plan filed 6/4; d/e # 6, 8 *contd from 9/3 & 10/22*
Obj: IRS (Eckert) filed 8/13 d/e # 15 \
Obj: Commonwealth of Virginia (Miner) [d/e # 19]

Showcause Motion of Internal Revenue Service for failure to comply with 9/9
order directing filing of tax returns filed 10/15, d/e # 20,

Abingdon Calendar - 10/22/03

1:00 P. M. - CONFIRMATIONS

McDaniel BARNEY, JR., & CHARLOTTE RASH - Ch. 13 7-03-02327 Widener/NS
Mod Plan filed 9/4; d/e # 19, 20

Copeland DAVID & AMELIA RUTHERFORD 7-01-02194 Widener/S
6th Mod Plan filed 9/3; d/e # 73, 76
Trustee Motion to dismiss/convert filed 7/30, d/e # 72, *contd from 9/3*

Snodgrass REGGIE KEMP 7-03-02496 Widener/JJ
Plan filed 6/11 d/e # 6 *contd from 9/3*

Valuation: Bed/Sofa/Loveseat/chair: Washington Mutual Finance, filed 9/19; d/e # 20

Hutchinson RHONDA HAYES - Ch. 13 7-03-02042 Widener/SJ
Plan filed 5/13, d/e # 6 *contd from 9/3*

Snodgrass RAYMOND & LINDA SHAFFNER - Ch. 13 7-03-00867 Widener/NS
Mod. Plan filed 9/2 [d/e # 42, 43] **contd fr 10/22 pending trial this this p.m.@Pg.**
Obj to prior plan: VHDA (Wade) filed 4/9; d/e # 20

Snodgrass RICKY MCPEAK- 7-03-02792 Widener/SJ
Mod Plan filed 9/12; d/e # 14, 15
–Note: Motion for valuation filed 10/20 is set for 11/19 @ 1:00 (Heilig-Meyers)

Abingdon Calendar - 10/22/03

1:00 P. M. - CONFIRMATIONS

Lamie CHRISTOPHER & DEIRDRE EVANS 7-03-01742 Widener/SJ
Mod Plan filed 8/28; d/e # 40; 43
Objs to prior plan : Former Ch 7 Trustee Michael Shortridge (Shortridge) filed 7/29; d/e # 36 and Trustee Objection & Showcause: Dismiss; filed 7/14; d/e # 34

Motion of Former Ch 7 Trustee to Reconvert or Reconsider Order of Conversion and
Motion of Former Ch 7 Trustee for Allowance of Adm. Expense filed 7/9; d/e # 32
(Shortridge) *contd from 10/22 pending briefing by 10/31 of trustee & 11/14 of Debtor re issue of standing former of Ch 7 Trustee*

Slavin JOHN & NORAH YOUNG 7-03-02453 Widener/VS
Plan filed 8/13, d/e # 19, with certif of service
Trustee Report, Objection & Showcause: Dismiss/convert, filed 9/18; d/e # 21

see also 1:30 p.m. confirmation contd from 9/17

1:00 P. M. - MISCELLANEOUS

Slavin MICHELE DEMETRIADES-ch13 7-03-03204 Widener/JM
Trustee Report Objection and Showcause: Dismissconvert, filed 9/18; d/e # 17
Note: Confirmation is scheduled 11/5 @ 1:00

1:30 P.M. - CHAPTER 13 CONFIRMATIONS

Timoney LARRY & PEGGY PARRIS 7-02-02448 Widener/AF
Mod Plan filed 7/22 with Debtors' Orig signatures, d/e # 15, 20, 21
Objection: EMC Mortgage Corp (Sasser/Esposito) d/e # 14
contd fr 8/20 & 9/17 pending entry of settlement or der on A/P 02-128'

Abingdon Calendar - 10/22/03

2:00 P. M. - MISCELLANEOUS

Carmody DOUGLAS & KATHY COOPER-chl3 7-99-00528 Widener/AF
Trustee Motion to Dismiss/convert, d/e # 52; contd from 10/22 *to cure bal of arrears*

Timoney ROBERT & SHANNON DALTON 7-01-04906 Widener/JJ
Objection of Debtors filed 10/1; d/e # 50; to letter from GreenPoint Credit LLC
(Hale) of Notice of Default

Gifford HOWARD MALOYED - Ch. 13 7-03-00817 Widener/NS
Trustee's Motion to Dismiss [d/e # 22]

*–Contd fr 9/17 for checks to clear – if not, trustee to notice continuance–order
entered 10/14 cont to 10/22 [d/e # 24]*

J Jessee JOHN & MILISSA COLLINS-chl3 7-01-04531 Widener/GR
Trustee Motion to Dismiss or Convert filed 9/23; d/e # 18

Timoney DANNY (Sr) & DEBRA BELCHER-chl3 7-02-05043 Widener/VS
Trustee Motion to Dismiss or Convert filed 9/23; d/e # 34

Timoney GREGORY & TAMMY ROWE-chl3 7-02-04759 Widener/SL
Trustee Motion to Dismiss or Convert filed 9/23; d/e # 44 *contd from 10/22*

Abingdon Calendar - 10/22/03

2:00 P. M. - MISCELLANEOUS

Timoney ANTHONY & TERESA ISOM- 7-03-00540 Widener/LM
Trustee Motion to Dismiss or Convert filed 9/23; d/e # 38

Hutchinson JOHNNY & MELISSA CLARK-chl3 7-03-03002 Widener/SJ
Motion #1: relief - filed 9/22; d/e # 13, 14
Nissan Motor Acceptance Corp (VanBeek)
–***ORDER of 10/2 granted relief, cancels hearing***

Snodgrass GARY HUGHES-chl3 7-03-00823 Widener/VS
Motion #1: relief - filed 9/29; d/e # 23, 28
Union Planters Bank (Christine Patterson) v. debtor & trustee
Frederick Harman, local counsel per letter of 10/3

Motion #2: Relief from Co-Debtor Stay - filed 9/29; d/e # 25, 27
Union Planters Bank (Christine Patterson) v debtor; Cynthia Hughes, co-debtor & trustee

Timoney ANTHONY & MELISSA MCMILLIAN-chl3 7-03-02895 Widener/SL

Motion #1: Relief - filed 9/24; d/e # 20, 21, 22; f.f.paid 9/26
Deutsche Bank National Trust Co (Clarke) v. debtors & trustee
RESPONSE filed by Debtors [d/e # 28]

Farthing CHRISTOPHER & CRYSTAL SAGE-ch7 7-03-03300 Wick/SO
Motion #2: relief - filed 10/1; d/e # 18, 19
Greenpoint Credit Corp (Twery) v. debtor & trustee
- set on Roanoke 10/27 date in error; renoticed 10/8, d/e # 20

2:30 P. M. - TRIAL

Lamie JACKSON V. & LAURA KISER-ch13 7-03-00001 Widener/SO
A/P 7-03-00076: Det. Liens
Debtors v. Russell Co Va.(); New Peoples Bank(Hutton; *answer 6/27*);
United Way of SW Va (); Builders Supermarket Inc(Bragg; *answer 6/26* *
Kenneth Hart, Trustee(); Gary Lawson, Trustee();
Jackson R. Kiser(CODY*answer 6/6 & 6/27*) ; & Superior Financial Services
Inc()
***Counterclaim filed by Builders Supermarket (Bragg)**
EXHIBITS filed 10/14 by Builders Supermarket, Inc. (Bragg)